

**UNITED STATES DISTRICT COURT**

## **EASTERN DISTRICT OF TEXAS**

H. M. GRIFFIN, JR., #12984-078 §  
versus § CIVIL ACTION NO. 4:15-CV-211  
UNITED STATES OF AMERICA § CRIMINAL ACTION NO. 4:11CR00051-001

## ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Don D. Bush, who issued a Report and Recommendation concluding that H. M. Griffin, Jr.'s Motion to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody (#1) pursuant to 28 U.S.C. § 2255 should be dismissed without prejudice as moot. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is accordingly

**ORDERED** that H. M. Griffin, Jr.'s Motion to Vacate, Set Aside or Correct Sentence by a Person in Federal Custody (#1) pursuant to 28 U.S.C. § 2255 is **DISMISSED** without prejudice as moot. All motions by either party not previously ruled upon are **DENIED**.

SIGNED at Beaumont, Texas, this 29th day of July, 2015.

Maria A. Crone.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE